

4907. Adulteration and misbranding of vinegar. U. S. * * * v. 50 Barrels of * * * Vinegar and 30 Barrels of * * * Vinegar. Default decrees of condemnation and forfeiture. Product ordered sold. (F. & D. No. 6947. I. S. Nos. 10015-1, 10016-1. S. No. C-357.)

On October 26, 1915, the United States attorney for the District of Kansas, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district libels for the seizure and condemnation of 50 barrels, each containing about 47 gallons, of so-called apple cider vinegar, and 30 barrels, each containing 5 dozen bottles, of so-called pure apple cider vinegar, remaining unsold in the original unbroken packages at Parsons, Kans., alleging that the article had been shipped on or about July 14, 1915, by the Monarch Vinegar Works, Kansas City, Mo., and transported from the State of Missouri into the State of Kansas, and charging adulteration and misbranding in violation of the Food and Drugs Act.

Adulteration of the article was alleged in the libels for the reason that it consisted, in whole or in part, of distilled vinegar or dilute acetic acid, which had been mixed and packed with and substituted for the pure product in such manner as to reduce or injuriously affect its quality and strength.

Misbranding of the article in the 50 barrels was alleged for the reason that there was attached to each of the barrels a brand or label in words and figures as follows, to wit: "Monarch Vinegar Works, Monarch Brand Apple Cider Vinegar, Generator Run, 47 Gal., Kansas City, Mo.", which label was misleading and false and calculated to induce the purchaser to believe that the so-called apple cider vinegar was pure, when, in truth and in fact, the same was adulterated as herein above set forth. Misbranding of the product in the 30 barrels was alleged for the reason that to each of said barrels and each of the bottles contained therein, was attached a brand or label in words and figures as follows, to wit: "Pure Apple Cider Vinegar, bottled for C. H. Moriarity, wholesale grocer, Parsons, Kansas, contents one pint nine ounces", which said label was misleading and false and calculated to induce the purchaser to believe that said so-called pure apple cider vinegar was pure, when, in truth and in fact, the same was adulterated as herein above set forth.

On May 1, 1916, no claimant having appeared for the property, judgments of condemnation and forfeiture were entered, and it was ordered by the court that the product should be sold by the United States marshal.

R. A. PEARSON, *Acting Secretary of Agriculture.*